

Z-33-98 Tryon Road, north side and Avent Ferry Road, east side, being Wake County Tax Map Parcels 0782.06 37 8734; 38 7096, 7280; 39 7046; 48 2148. Approximately 36.4 acres rezoned to Residential-10 Conditional Use, Office & Institution-1 Conditional Use, Conservation Management, and Special Highway Overlay District-2, according to maps on file in the Planning Department.

Conditions: (05/27/98)

A. Development of the property will comply with Certified Recommendation 7107 of the Raleigh Planning Commission.

B. Reimbursement for future right-of-way dedication shall be based upon Rural Residential values for that portion of the Property currently zoned Rural Residential District and upon Residential-4 values for the portion of the Property currently zoned Residential-4 district.

C. Upon development of any portion of the Property adjacent to Tryon Road, the developer shall widen Tryon Road where adjacent to such portion of the Property to provide one-half of a cross section 65 feet in width (or such other width shall be established upon site plan approval).

D. Upon development of any portion of the Property adjacent to Avent Ferry Road, the developer shall widen Avent Ferry Road where adjacent to such portion of the Property to provide one-half of a cross section 60 feet in width (or such other width as shall be established upon site plan approval).

E. Upon development of the Property, the developer will provide and maintain a landscaped street yard 25 feet in width along both Tryon Road and Avent Ferry Road.

F. With respect to the portion of the Property rezoned to a residential zoning district, the height of buildings within 100 feet of the right-of-way of Avent Ferry Road (as established after any additional dedication of right-of-way required of the developer of the Property) will be limited to two stories or 30 feet. Buildings on the remaining portion of the Property rezoned to a residential zoning district will be limited in height to three stories or 45 feet.

G. The residential density of all areas of the Property shall be limited to 10 dwelling units per acre. Dwelling units upon the Property shall consist only of detached dwellings, Townhouse development, or condominiums (or a combination thereof) and related amenities and accessory uses. No dwelling unit consisting of more than three (3) bedrooms shall be located upon the Property. No dwelling unit upon the Property shall be occupied by more than 3 unrelated individuals.

H. The height of buildings constructed upon the portion of the Property zoned Office and Institution-1 Conditional Use District will be limited to three stories or 45 feet. Development of this portion of the Property will be limited to a floor area ratio of .5.

I. The Neuse River riparian buffer rules, as established by the Division of Water Quality of the North Carolina Department of Environment and natural Resources, shall apply to the Property in accordance with their terms and provisions. Where the riparian buffer rules do not apply to the Property in accordance with their terms and provisions, the following buffer requirements shall be observed: undisturbed areas 25 feet in width will be maintained on either side of the centerline of the intermittent streams draining the areas of the Property zoned Conservation Management District. It is provided, however, that such areas may be disturbed for the purposes of installing and maintaining therein utility services and Stormwater control and detention measures and facilities. In addition, dead, dying, or diseased trees may be removed from such areas and, at the discretion of the owner and/or developer, additional plants may be planted.